

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes of phraseology were made.

#### § 1462. Importation or transportation of obscene literature.

Whoever brings into the United States, or any place subject to the jurisdiction thereof, or knowingly deposits with any express company or other common carrier, for carriage in interstate or foreign commerce any obscene, lewd, lascivious, or filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, or any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use; or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of such mentioned articles, matters, or things may be obtained or made; or

Whoever knowingly takes from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 768, eff. Sept. 1, 1948.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 396 (Mar. 4, 1909, ch. 321, § 245, 35 Stat. 1138; June 5, 1920, ch. 268, 41 Stat. 1080).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Words "in interstate or foreign commerce" were substituted for ten lines of text without loss of meaning. (See definitive section 10 of this title.)

(See reviser's note under section 1461 of this title.)

Minor changes of phraseology were made.

#### § 1463. Mailing indecent matter on wrappers or envelopes.

All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, and all postal cards upon which, any delineations, epithets, terms, or language of an indecent, lewd, lascivious, or obscene character are written or printed or otherwise impressed or apparent, are nonmailable matter, and shall not be conveyed in the mails nor delivered from any post office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe.

Whoever knowingly deposits for mailing or delivery, anything declared by this section to be nonmailable matter, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 769, eff. Sept. 1, 1948.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 335 (Mar. 4, 1909, ch. 321, § 212, 35 Stat. 1129).

Said section 335 of title 18, U. S. C., 1940 ed., was incorporated in this section and section 1718 of this title.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes were made in phraseology.

#### § 1464. Broadcasting obscene language.

Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than \$10,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 769, eff. Sept. 1, 1948.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on sections 326 and 501 of title 47, U. S. C., 1940 ed., Telegraphs, Telephones, and Radiotelegraphs (June 19, 1934, ch. 652, §§ 326, 501, 48 Stat. 1091, 1100).

Section consolidates last sentence of section 326 with penalty provision of section 501 both of title 47, U. S. C., 1940 ed., with changes in phraseology necessary to effect the consolidation.

Section 501 of title 47, U. S. C., 1940 ed., is to remain, also, in said title 47, as it relates to other sections therein.

### Chapter 73.—OBSTRUCTION OF JUSTICE

#### Sec.

1501. Assault on process server.

1502. Resistance to extradition agent.

1503. Influencing or injuring officer, juror or witness generally

1504. Influencing juror by writing.

1505. Influencing or injuring witness before agencies and committees.

1506. Theft or alteration of record or process; false bail.

##### CROSS REFERENCES

Peonage; obstructing enforcement of law prohibiting, see section 1581 (b) of this title.

#### § 1501. Assault on process server.

Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States, or United States commissioner; or

Whoever assaults, beats, or wounds any officer or other person duly authorized, knowing him to be such officer, or other person so duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process—

Shall, except as otherwise provided by law, be fined not more than \$300 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 769, eff. Sept. 1, 1948.)

##### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 245 (Mar. 4, 1909, ch. 321, § 140, 35 Stat. 1114).

The phrase "Except as otherwise expressly provided by law" was inserted because sections 2231, 2232, and 2233 of this title provide greater penalties for obstructing service of search warrants.

Mandatory provisions were rephrased in the alternative. (See reviser's note under section 201 of this title.)

Minor changes were made in phraseology.

##### CROSS REFERENCES

Assaulting Federal officer, see section 111 of this title.

Killing Federal officer, see section 1114 of this title.

Obstructing searches or seizures, see sections 2231 and 2232 of this title.

## § 1502. Resistance to extradition agent.

Whoever knowingly and willfully obstructs, resists, or opposes an extradition agent of the United States in the execution of his duties, shall be fined not more than \$300 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 769, eff. Sept. 1, 1948.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 661 (R. S. 5277).

Said section 661 of title 18, U. S. C., 1940 ed., was incorporated in this section and section 752 of this title.

Words "an extradition agent of the United States" were substituted for "such agent" which was referred to in sections 3182 et seq. of this title.

A fine of "\$300" was substituted for "\$1,000" as the mandatory maximum to harmonize with similar offenses in this chapter. (See section 1501 of this title.)

Punishment provision was rephrased in the alternative. (See reviser's note under section 201 of this title.)

## § 1503. Influencing or injuring officer, juror or witness generally.

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness, in any court of the United States or before any United States commissioner or other committing magistrate, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or other committing magistrate, in the discharge of his duty, or injures any party or witness in his person or property on account of his attending or having attended such court or examination before such officer, commissioner, or other committing magistrate, or on account of his testifying or having testified to any matter pending therein, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, commissioner, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 769, eff. Sept. 1, 1948.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 241 (Mar. 4, 1909, ch. 321, § 135, 35 Stat. 1113; June 8, 1945, ch. 178, § 1, 59 Stat. 234).

The phrase "other committing magistrate" was substituted for "officer acting as such commissioner" in order to clarify meaning.

Minor changes were made in phraseology.

## § 1504. Influencing juror by writing.

Whoever attempts to influence the action or decision of any grand or petit juror of any court of the United States upon any issue or matter pending before such juror, or before the jury of which he is a member, or pertaining to his duties, by writing or

sending to him any written communication, in relation to such issue or matter, shall be fined not more than \$1,000 or imprisoned not more than six months, or both.

Nothing in this section shall be construed to prohibit the communication of a request to appear before the grand jury. (June 25, 1948, ch. 645, § 1, 62 Stat. 770, eff. Sept. 1, 1948.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 243 (Mar. 4, 1909, ch. 321, § 137, 35 Stat. 1113).

Last paragraph was added to remove the possibility that a proper request to appear before a grand jury might be construed as a technical violation of this section.

Minor changes were made in phraseology.

## § 1505. Influencing or injuring witness before agencies and committees.

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein, or;

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 770, eff. Sept. 1, 1948.)

## LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 241a (Mar. 4, 1909, ch. 321, § 135a, as added Jan. 13, 1940, ch. 1, 54 Stat. 13; June 8, 1945, ch. 178, § 2, 59 Stat. 234).

Word "agency" was substituted for the words "independent establishment, board, commission" in two instances to eliminate any possible ambiguity as to scope of section. (See definitive section 6 of this title.)

Minor changes were made in phraseology.

## § 1506. Theft or alteration of record or process; false bail.

Whoever feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect; or

Whoever acknowledges, or procures to be acknowledged in any such court, any recognizance, bail, or judgment, in the name of any other person not privy or consenting to the same—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 770, eff. Sept. 1, 1948.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on title 18, U. S. C., 1940 ed., § 233 (Mar. 4, 1909, ch. 321, § 127, 35 Stat. 1111).

The term of imprisonment was reduced from 7 to 5 years, to conform the punishment with like ones for similar offenses. (See section 1503 of this title.)

Minor changes were made in phraseology.

#### CROSS REFERENCES

Concealment, removal or destruction of records, see section 2071 of this title.

Embezzlement or theft of records, generally, see section 641 of this title.

### Chapter 75.—PASSPORTS AND VISAS

#### Sec.

- 1541. Issuance without authority.
- 1542. False statement in application and use of passport.
- 1543. Forgery or false use of passport.
- 1544. Misuse of passport.
- 1545. Safe conduct violation.
- 1546. Fraud and misuse of visas and permits.

#### § 1541. Issuance without authority.

Whoever, acting or claiming to act in any office or capacity under the United States, or a State or possession, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person whomsoever; or

Whoever, being a consular officer authorized to grant, issue, or verify passports, knowingly and willfully grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not—

Shall be fined not more than \$500 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 771, eff. Sept. 1, 1948.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on section 219 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (R. S. 4078; June 14, 1902, ch. 1088, § 3, 32 Stat. 386).

The venue provision, which followed the punishment provisions, was omitted as covered by section 3238 of this title.

Changes were made in phraseology.

#### § 1542. False statement in application and use of passport.

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement—

Shall be fined not more than \$2,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 771, eff. Sept. 1, 1948.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on section 220 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917,

ch. 30, title IX, § 2, 40 Stat. 227; Mar. 28, 1940, ch. 72, § 7, 54 Stat. 80).

Mandatory-punishment provision was rephrased in the alternative. See reviser's note under section 201 of this title.)

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

#### CROSS REFERENCES

False statements, generally, see section 1001 of this title. Jurisdiction of offenses, see section 3241 of this title.

#### § 1543. Forgery or false use of passport.

Whoever falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

Whoever willfully and knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same—

Shall be fined not more than \$2,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 771, eff. Sept. 1, 1948.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on section 222 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, § 4, 40 Stat. 227; Mar. 28, 1940, ch. 72, § 7, 54 Stat. 80).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Mandatory-punishment provision with authorization for added fine in discretion of court was rephrased in the alternative. (See reviser's note under section 201 of this title.)

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

#### CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title.

#### § 1544. Misuse of passport.

Whoever willfully and knowingly uses, or attempts to use, any passport issued or designed for the use of another; or

Whoever willfully and knowingly uses or attempts to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports; or

Whoever willfully and knowingly furnishes, disposes of, or delivers a passport to any person, for use by another than the person for whose use it was originally issued and designed—

Shall be fined not more than \$2,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 771, eff. Sept. 1, 1948.)

#### LEGISLATIVE HISTORY

*Reviser's Note.*—Based on section 221 of title 22, U. S. C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, § 3, 40 Stat. 227; Mar. 28, 1940, ch. 72, § 7, 54 Stat. 80).

Mandatory-punishment provision rephrased in the alternative. (See reviser's note under section 201 of this title.)